

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

MONTE RUSSELL, on behalf of himself and
others similarly situated,

Plaintiff,

v.

WELLS FARGO AND COMPANY,

Defendant.

Case No. C-07-3993-CW

**DECLARATION OF T. JOSEPH
SNODGRASS IN SUPPORT OF
PLAINTIFF'S MEMORANDUM IN
SUPPORT TO STRIKE AND
INVALIDATE DEFENDANT'S RULE 68
OFFERS**

EXHIBIT I



HODEL BRIGGS WINTER^{LLP}

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August 26, 2008

VIA FACSIMILE AND U.S. MAIL

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**PRIVILEGED SETTLEMENT COMMUNICATION UNDER FEDERAL RULE
OF EVIDENCE 408**

Re: Monte Russell, et al. v. Wells Fargo Bank, N.A.
U.S. District Court, Northern District of California, Case C 07-03993 CW

Dear Counsel:

Please take notice that defendant Wells Fargo Bank, N.A., hereby withdraws and revokes its Rule 68 offer made to opt-in plaintiff Susette Walsh, dated August 22, 2008, due to a material mistake regarding the number of weeks worked by Ms. Walsh during the relevant time period. A new Rule 68 offer will be served to opt-in plaintiff Susette Walsh under separate cover via U.S. Mail.

Sincerely,

Theresa A. Kading
of Hodel Briggs Winter LLP

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Total Number of Pages: ____ (including Fax Cover Sheet)

Re: Monte Russell, et al. v. Wells Fargo Bank, N.A.

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